

## CLOSED CAPTIONING GUIDELINES

The following document, created by the ERA TV Council, outlines the FCC's closed captioning rules as they pertain to direct response advertisers. Please note that there are additional requirements for broadcasters of video programming that are not listed in this update. For a complete report, please contact the FCC directly, or visit the FCC's website.

### WHAT IS CLOSED CAPTIONING?

By pushing a button on the remote control, closed captioning allows a viewer to read the dialogue as a program is airing. This feature enables more than 24 million hearing impaired Americans to understand programs and advertising messages.

### OVERVIEW OF CLOSED CAPTIONING REGULATION

As of January 1, 2006, the FCC has required all broadcasters of video programming (i.e., television stations, cable operators, satellite providers, etc.) to provide 100% of its new, non-exempt programming with captioning. The FCC also requires that Spanish language video programmers provide 1350 hours of captioned programming per calendar year for all new, non-exempt video programming. This number will increase to 100% on January 1, 2010.

### HOW DOES THIS AFFECT ADVERTISERS?

English and Spanish language advertising of 5 minutes or more must comply with closed captioning rules. Advertisements which are 5 minutes or less are explicitly exempted from the FCC's rules.

### ARE THERE EXCEPTIONS TO THE RULE?

The pertinent exceptions to advertising are as follows:

- programming that is distributed between 2 a.m. and 6 a.m. local time (some stations air only paid programming during this time);
- advertisements of less than 5 minutes in duration; and
- advertisements that cannot be captioned without significant undue burden (an application for waiver must be applied for with the FCC).

### IS THE ADVERTISER RESPONSIBLE FOR CLOSED CAPTIONING?

Yes. The producer will supply you or your dub house with a master tape of your infomercial without the closed captioning component. The advertiser will have to contract with a facility that can handle the closed captioning process.



### **HOW MUCH DOES IT COST?**

The cost for closed captioning runs between \$500 - \$1,000 per master for a 30 minute infomercial. Rates for a 5 minute infomercial will run between \$300 - \$500.

### **ARE THERE DIFFERENT STYLES OF CLOSED CAPTIONING?**

The two most common styles of closed captioning are the “roll-up” style which scrolls continuously from the bottom of the screen and the “pop-up” style which are timed and placed the screen to identify speakers. The “pop-up” style is preferred for infomercials because the captions will not block pertinent ordering information at the bottom of the screen.

### **HOW LONG DOES THE PROCESS TAKE?**

It usually takes between 3-7 business days depending on the facility. The process includes transcription of the program and encoding the words in areas that do not conflict with the sale of the product.

### **WHO HANDLES THE CLOSED CAPTIONING OF MY MASTER?**

Closed captioning can be handled a number of ways. The most common is to use a facility that specializes in closed captioning. Additionally, dub houses may have the equipment necessary to incorporate closed captioning in your master. In such cases, the dub house will send your master tape to a facility that can accommodate your needs at no additional cost. The following is a list of companies that specialize in closed captioning:

#### **National Captioning Institute**

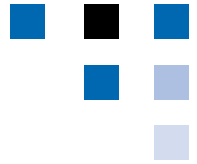
1900 Gallows Road, Suite 3000  
Vienna, VA 22182  
(703) 917-7600  
<http://www.ncicap.org/>

#### **Vitac Corporation**

4605 Lankershim Boulevard, Suite 250  
North Hollywood, California 91602  
(888) 528-4822  
<http://www.vitac.com/>

#### **Media Access Group at WGBH**

125 Western Avenue  
Boston, MA 02134  
(617) 300-3600  
<http://main.wgbh.org/wgbh/pages/mag/>

**Video Caption Corporation**

26 Highland Way

Stanfordville, New York 12581

(800) 705-1203

<http://www.vicaps.com/contact.html>

**Closed Captioning Services**

4450 Lakeside Dr. Suite 350

Burbank, California 91505

(818) 848-8826

<http://www.ccscaption.com/>

A list identifying several captioning companies may be found by clicking the following link:

[http://www.google.com/Top/Arts/Television/Closed\\_Captioning/Service\\_Providers/](http://www.google.com/Top/Arts/Television/Closed_Captioning/Service_Providers/)